

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

WILLIAM T. WEBSTER,

Plaintiff - Appellant,

vs.

ADVANCED MANAGEMENT GROUP
 NEVADA, LLC; et al.,

Defendant - Appellees.

2:10-cv-01390-KJD-RJJ

ORDER

This matter is before the Court on referral from the United States Court of Appeals for the Ninth Circuit for the limited purpose of determining whether *in forma pauperis* status should continue for this appeal or whether the appeal is frivolous or taken in bad faith.

This case came to the Court on Plaintiff's claims alleging discrimination based on a disability and interference with enjoyment of a dwelling under the Fair Housing Act ("FHA"). However, nowhere in the complaint does Plaintiff disclose or allege facts which could be construed as evidence of discrimination under the FHA nor has Plaintiff established a disability under the FHA or even disclosed the nature of his alleged disability. In fact, Plaintiff was evicted in Justice Court proceedings for failure to pay rent. He asserted the same claims he now makes in this action as a defense to the eviction. The Court has found that the Justice Court Judgment acts as a valid judgment

1 for purposes of *res judicata*. Furthermore, Plaintiff was sanctioned because on four previous
2 occasions, courts, including the present one, had dismissed Plaintiff's fair housing claims as
3 inadequate, yet he still continued to file inadequate complaints.

4 Accordingly, Plaintiff should not be permitted to proceed *in forma pauperis* where, as here,
5 he has failed to allege valid claims under the FHA, his claims are barred by principles of *res*
6 *judicata*, and he was appropriately sanctioned for continuing to bring claims that he knew were
7 inadequate. The Court finds that the appeal is frivolous and not taken in good faith. 28 U.S.C.
8 §1915(a)(3).

9 Accordingly, IT IS HEREBY ORDERED that Plaintiff's *in forma pauperis* status is
10 **REVOKED**.

11 DATED this 27th day of April 2012.

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16 Kent J. Dawson
17 United States District Judge
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